
Government appeals stem cell ruling, claims harm to patients

Posted: August 31, 2010

Created: 31/08/2010 - 14:42

The US government appealed the August 23 ruling by Judge Royce Lamberth that created a temporary ban on human embryonic stem cell research. According to *Nature*:

“ The documents filed by the government consist of two actions – an appeal of last week’s decision, which will be heard by the United States Court of Appeals for the District of Columbia, as well as a request to stay the injunction, which will be heard by the same court which issued it last week.

In order to impose the injunction, Judge Lamberth had to show irreparable harm to the plaintiffs -- two stem cell researchers who claim that the competition with embryonic stem cell research grants hurt their ability to receive NIH funds. However, *Nature* reports:

“ Between 2007 and 2009, before the current NIH guidelines for stem cell research were put into place, Sherley applied for five NIH grants, but did not receive them, Collins notes, while this year he received more than \$425,000 from the NIH.

Reuters reports the Justice Department as saying:

“ The two doctor’s “remote economic self-interests do not outweigh the harm the injunction will cause NIH, the hundreds of affected human embryonic stem cell researchers, and the millions of individuals who hold out hope that human embryonic stem cell research will lead to the cure for, or treatment of, their currently incurable illnesses.”

CIRM funding of stem cell research in California is not effected by the federal injunction, however a recent survey found that more than 20% of CIRM grantees also had NIH funding for human embryonic stem cell research.

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